

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

ANGELINE MONTGOMERY,

Plaintiff,

vs.

**MIDLAND CREDIT MANAGEMENT,
INC.; MIDLAND FUNDING, LLC;
and BURTON NEIL & ASSOCIATES,
P.C.,**

Defendants.

Civil Action No.

2:12-CV-01244-MSG

**DAUBERT MOTION OF DEFENDANTS, MIDLAND CREDIT MANAGEMENT,
INC., MIDLAND FUNDING, LLC AND BURTON NEIL & ASSOCIATES, P.C. TO
PRECLUDE PLAINTIFF'S EXPERT,
DANIEL S. BERNHEIM**

Defendants, Midland Credit Management, Inc., Midland Funding, LLC and Burton Neil & Associates, LLC by and through their counsel, Marshall Dennehey Warner Coleman & Goggin, P.C., respectfully move to preclude the expert testimony of Daniel S. Bernheim from trial under Daubert v. Merrell Dow Pharms., Inc., 509 U.S. 579 (1993).

Respectfully submitted,

**MARSHALL DENNEHEY WARNER
COLEMAN & GOGGIN, P.C.**

By: /s/ Ronald M. Metcho / rmm5150
RONALD M. METCHO, ESQUIRE
ANDREW M. SCHWARTZ, ESQUIRE
Attorneys for Defendants,
Midland Credit Management, Inc.,
Midland Funding, LLC and
Burton Neil & Associates, P.C.

Dated: July 19, 2013